

Filed for intro on 04/03/2003

HOUSE JOINT RESOLUTION 274  
By McMillan

A RESOLUTION to create a special joint committee to study the present alignment and organization of trial court judicial districts; the allocation of judges, other judicial personnel, district attorneys general and district public defenders; and to determine if there exists a need to change the present system in order to make the trial court system more efficient and responsive to the public.

WHEREAS, in 1962, the United States Supreme Court determined in the case of Baker v. Carr (369 U.S. 186 (1962)) that in order to give each citizen equal representation and equality

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of voting power, legislative districts must be realigned to reflect the growth of and shift in the population of the affected area; and

WHEREAS, this landmark decision led to the redistricting of legislative districts each time a new federal census is released every ten years; and

WHEREAS, this redistricting process last occurred for House of Representative and Senate districts in 2001; and

WHEREAS, in contrast, the trial court system has not been systematically redistricted or reorganized since the Judicial Restructure Act which took effect September 1, 1984; and

WHEREAS, the natural growth in and shift of population that has occurred in Tennessee in the ensuing nineteen years may have resulted in an unequal distribution of trial court judges, district attorneys general, district public defenders and other judicial personnel across the State; and

WHEREAS, with the State facing continuing revenue shortages, it is prudent to at least study the present structure of the trial court system to determine if there are any changes that could be made to it that would make it more efficient and cost effective; and

WHEREAS, for these reasons, it is time to undertake an orderly and inclusive study of the present trial court judicial districts in order to determine if each citizen has equal access to the court system and judicial personnel and if the present alignment is the most efficient and cost effective one that can be devised; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that there is hereby created a special joint committee to study the present trial court judicial districts, the allocation of judges, other judicial personnel, district attorneys general and district public defenders. The goal of the study is to determine whether a different organization of the trial courts would result in more efficiency and cost savings while at the same time ensuring, to the extent possible, that the districts, and judicial personnel within the

districts, are configured and assigned in a manner that will give all citizens of Tennessee equal access to the courts and that each citizen is served by a proportionately equal number of judicial officers.

BE IT FURTHER RESOLVED, that the special joint committee shall be composed of fourteen (14) members as follows:

(1) One (1) member of the House of Representatives and one (1) member of the Senate, to be appointed by the respective Speakers;

(2) The Chair of the House of Representatives and Senate Judiciary Committee;

(3) Three (3) members to be appointed by the Governor, with one (1) member representing the interests of the Executive Branch and one (1) being a victim of crime or a representative of an organization that represents or advocates for victims;

(4) One (1) District Attorney General to be appointed by the District Attorneys General Conference;

(5) One (1) District Public Defender to be appointed by the District Public Defenders Conference;

(6) One (1) General Sessions Judge to be appointed by the General Sessions Judges Conference;

(7) One (1) Trial Court Judge to be appointed by the Judicial Conference;

(8) The Director of the Administrative Office of the Courts or the Director's designee;

(9) One (1) Trial Court Clerk to be appointed by the Court Clerks Association;

(10) The Comptroller of the Treasury or the Comptroller's designee; and

(11) One (1) practicing attorney appointed by the Tennessee Bar Association.

BE IT FURTHER RESOLVED, that all legislative members of the special joint committee who are duly elected members of the General Assembly shall remain members of such committee until the committee reports its findings and recommendations to the General

Assembly.

BE IT FURTHER RESOLVED, that the non-legislative members shall not receive compensation for serving on the committee but shall be reimbursed for attendance at meetings in accordance with the comprehensive travel regulations promulgated by the Commissioner of Finance and Administration and approved by the Attorney General.

BE IT FURTHER RESOLVED, that the committee shall be convened by the legislative member with the most years of continuous service in the General Assembly, and at its first meeting shall elect a Chair, Vice Chair and such officers the committee deems necessary.

BE IT FURTHER RESOLVED, that at the request of the committee, the various agencies and entities of state government shall assist the committee in the performance of its duties.

BE IT FURTHER RESOLVED, that the special joint committee shall timely report its findings and recommendations, including any proposed legislation or interim reports, by November 1, 2004, at which time the committee shall cease to exist.